

ORDINANCE NO. 16-12
INTRODUCTION DATE: 09-21-16
ADOPTION DATE: 10-19-16

**AN ORDINANCE AMENDING CHAPTER IV (GENERAL LICENSING), SECTION 4-4
(MUSICAL OR PUBLIC ENTERTAINMENT) OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH
AND STATE OF NEW JERSEY**

BE IT ORDAINED by the Township Committee of the Township of Millstone, County of Monmouth and State of New Jersey, as follows: (additions are underlined, and deletions are in [brackets]):

I

Chapter IV, General Licensing, Section 4-4, Musical or Public Entertainment, is hereby amended to read as follows:

4-4 **Musical, Public Entertainment, [~~Or~~] Amusement Or Private Party.**

4-4.1 **Special Permit Required.**

a. No person shall maintain, conduct, promote or operate on any lands or premises within the Township other than in established auditoriums or other places licensed or permitted for public occupancy as limited by law or zoning, any use thereof for the purposes of mass musical, public entertainment or amusement of various designations or participation therein, including, but not limited to, "pop festival," "rock music festival," "rock festival," "jazz festival," "rock and roll music festival," "music festival," "recorded music," "mansion party," "rehab party," "pool party" or other such combinations thereof, except pursuant to a special permit issued therefor by the Township as hereinafter provided.

b. No owner, lessee, licensee or other person having any right to or interest in any real property within the jurisdiction of the Township shall license, rent, lease or otherwise permit the use of such real property or any part thereof for the use of mass musical, public entertainment or amusements of various designations or participation therein as defined under Section 4-4.1a. above, other than in established theaters, auditoriums or other places licensed for public occupancy as limited by law, except pursuant to a special permit issued therefor by the Township Committee as hereinafter provided.

c. No mass musical, public entertainment or amusements as defined in Section 4-4.1a. as set forth in this ordinance shall be permitted at any residence for a fee or charge or to promote the sale or use of any product or service including a contribution to a charitable organization, unless such event is run by an IRS Code Section 501(c)(3) organization.

d. No party, private or open to the public for which no fee or charge is required and is to be attended by more than one hundred fifty (150) people, including any residents of a home,

employees, agents, entertainers, DJ's, caterers or servers shall be permitted without a permit under this Section.

4-4.2 Application; Provisions for Granting Special Permits.

The Township Committee may issue a special permit herein upon written application made by such person who proposes to maintain, conduct, promote or operate such mass musical, public entertainment or amusement, as defined in Section 4-4.1a., or private party, as defined in Section 4-4.1d. or participation therein together with the owner, lessor or licensor who proposes to rent, lease, license or otherwise permit such mass musical or public entertainment or participation therein, all hereinafter designated as "applicant."

a. – d. No change.

e. No permit shall be issued for any site that has outstanding enforcement actions for ordinance violations or building code and subcode violations.

4-4.3 Exceptions.

This ordinance shall not be applicable where there are ~~[to be]~~ less than one hundred fifty (150) people attending such an event as defined in Section 4-4.1a. above or there are less than one hundred fifty (150) people for any event as defined in Section 4-4.1d. above and where such event does not exceed a period of more than four (4) consecutive hours between the hours of Noon and [8]9:00 P.M. prevailing time, and provided further that the New Jersey State Police, Hamilton Barracks and the Township Clerk are notified of the event at least forty-eight (48) hours in advance thereof by written notice duly receipted by the New Jersey State Police, Hamilton Barracks.

4-4.4 – 4-4.6 No change.

II

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

III

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

VI

This Ordinance shall take effect upon adoption and publication according to law.

EXPLANATORY STATEMENT:

This Ordinance amends and updates the provisions relating to private and commercial parties.